

Solid Waste Funding Workgroup November 18, 2011, Meeting Notes

The meeting was held from 9:00 a.m. to Noon in the Con Con Conference Room, Atrium South, Constitution Hall, Lansing, Michigan.

The workgroup was welcomed. The members introduced themselves and identified which organization they are representing.

Tom Frazier	Michigan Townships Association
Michael Csapo	RRRASOC representing waste authorities
Geoffrey Donaldson	St. Clair County representing Michigan Association of Counties
William Hinz	Allegan County Health Department representing Health Departments (MALPH)
Sandy Rosen	Michigan Recycling Coalition
Jason Geer	Michigan Chamber of Commerce
Patty O'Donnell	Northwest Michigan Council of Governments representing the Michigan Association of Regions
Tom Horton	Waste Management representing Michigan Waste Industries Association (for Tonia Olson)
Roger Simon	Louis Padnos Iron & Metal Company representing Institute of Scrap Recycling Industries
Randall Slikkers	Goodwill Association of America representing reuse stores
Bill Allen	Kent County Department of Public Works representing Waste to Energy facilities and County Public Works Departments (for Doug Wood)
Liz Browne	Department of Environmental Quality, Resource Management Division
Steve Sliver	Department of Environmental Quality, Resource Management Division
Matt Flechter	Department of Environmental Quality, Resource Management Division
Also invited but unable to be present were...	
Bill Lobenherz	Michigan Soft Drink Association representing the Michigan Recycling Partnership
Gary Dawson	Consumers Energy Company representing Type III landfill interests
Andy Such	Michigan Manufacturers Association representing MMA
James Clift	Michigan Environmental Council
Jason Mancini	Michigan Municipal League representing MML

The notes for the October 21, 2011, meeting were distributed and **will be placed on the Solid Waste Funding Workgroup Web site** http://www.michigan.gov/deq/0,4561,7-135-3312_4123-261534--,00.html. There were not any changes or revisions. **The DRAFT label will be removed from the notes on the Web if there are not any changes suggested by members.**

Contracting Landfill Inspections Sub-committee Report – No report because the chair, Tonia Olson, was unable to attend.

The majority of the meeting was spent discussing a handout titled "DEQ Solid Waste Program Priorities." The document was created by DEQ staff, as requested by SWFW members, to identify suggested changes to the Solid Waste Program. The following enumerated list contains the suggested change (if any) and the SWFW member comments.

1) Permits/Licenses – Current level of full-time equivalents (FTEs) is appropriate for managing the current number of Landfill, Processing Plant, and Transfer Facility licenses. Lower level of hydrogeologic permitting should be evaluated for enclosed facilities. A one-time permit should be considered for transfer facilities and processing plants in place of the currently required license renewal process.

SWFW comments – A comment was made regarding use of material that receives inertness exemptions and whether those activities should be permitted and licensed. Also, whether alternative technologies for use of solid waste materials should be licensed as well. Workgroup members asked about the fiscal impact of going to a one time permit process and whether the change would result in a loss of revenue. Currently the revenue from the permit fees is deposited into the Perpetual Care Fund account. A change in the activities at the site would require a review of the permit.

2) Solid Waste Planning – It is estimated that three additional FTEs will be necessary to implement the Solid Waste Planning process in whatever form it eventually takes. Various options still need to be evaluated. These modifications may include an expedited amendment process for items that increase waste utilization. Incentivize regional planning. Three main options are available for consideration, 1) keep planning process as is with no changes, 2) support the previous planning process amendment recommendations, 3) develop a simplified planning process that incentivizes regional plans and utilization activities.

SWFW comments – There was general agreement that the planning process is in need of additional staff to implement the program, regardless of the final form that it takes after the Solid Waste Advisory Committee addresses Solid Waste Planning. It was recognized that there are additional costs to development and implementation of Solid Waste Plans that are outside of the costs to the department. If planning ramps up, there was acknowledgement that local planning resources will be necessary or the burden will fall to the DEQ. There was agreement that regional plans should be a concept that should be included in changes to the planning process. A report from the 1990's was mentioned that drew boundaries. **The report will be placed on the SWFW Web page.**

3) Technical Reviews (Construction certifications, new cells, hydro reviews, HMP, etc.) – Engineering and Technical staff will evaluate the program needs further.

DEQ staff will further evaluate this issue and report to the SWFW.

4) Recycling/Composting (tech assistance) – At least 5 additional FTEs necessary to implement composting amendments to Part 115. (Interest is increasing in organic waste utilization) and expand recycling/utilization efforts. Economic development, markets, measurement, commercial, institutional, residential, and business recycling/waste utilization all need to be considered.

SWFW comments – There was general agreement that there is a role for DEQ to be involved in creating an environment for increased business development to utilize resources currently being

disposed. As new technologies are brought to Michigan it is important that our solid waste management framework foster, rather than hinder, the development of those technologies. It will be important for the State to provide guidance and technical assistance in navigating the regulatory requirements so that potential utilization businesses have the answers they need to be able to site their operations in Michigan. Other state's recycling programs were recognized as a model to use to expand efforts to utilize waste as an economic development tool.

5) Enforcement (escalated) – Enforcement staff will evaluate.

DEQ staff will further evaluate this issue and report to the SWFW.

6) Inspections (compliance) – It is recognized that as Michigan shifts efforts to foster increased waste utilization a similar shift in Solid Waste Program staff will be necessary to appropriately regulate solid waste utilization activities. It is recommended that less effort be placed on inspecting permitted solid waste facilities so that increased staff time may be spent on addressing utilization activities. It is recommended that open landfills receive 4 inspections per year, transfer stations receive one per year, and processing plants receive 2 per year. Additionally, increased inspections of composting facilities, recycling facilities, waste approval locations, Type B transfer stations (as needed) closed landfills (1 to 2 per year), and industrial sludge land application sites are necessary.

SWFW comments – The members agreed that there is a role for the DEQ to perform inspections at regulated facilities. There is a desire for the DEQ to play an increased role inspecting additional facilities that are not currently inspected, e.g., material recovery facilities. It was recognized that the DEQ has recently been forced to reduce the amount of staff available to perform inspections. The SWFW sub-committee is evaluating contracting inspections of solid waste disposal facilities and utilization activities. The DEQ is currently evaluating the total time being spent on inspections as well as other activities. **The DEQ will report the findings of that evaluation in the coming months when the data is available.**

7) Complaint response – It is recommended that local units of government continue to be the lead on responding to complaints at non-licensed facilities. The DEQ will continue to provide support as needed and respond to complaints at licensed facilities.

No SWFW comments.

8) Waste Approvals (Beneficial reuse, inert designations, etc.) – It is recommended that the current staff level, with some assistance from the expanded recycling program staff, will maintain the current level of effort for waste approvals.

No SWFW comments.

9) Outreach (web, environmental education, FAQ's, etc.) – It is recommended that the outreach staff person (1 FTE) who was previously housed in Office of Environmental Assistance be replaced.

No SWFW comments.

10) Solid Waste Advisory Committee (SWAC) – It is recommended that the current level of FTEs and staff involvement be maintained for the SWAC.

SWFW comments – A SWFW member asked what level of FTEs are involved currently. DEQ has recently reduced the number of staff involved because of resource limitations.

11) Policy & Rule Development – It is recommended that the current level of FTEs be maintained for policy and rule development.

No SWFW comments.

12) Internal/External Committees – It is recommended that the current level of FTEs be maintained with the internal and external committee involvement being spread around to the additional staff.

No SWFW comments.

13) Remedial Action Plans – It is recommended that the current level of FTEs be maintained if the financial assurance and fee collection responsibilities are shifted to additional staff.

No SWFW comments.

14) Yard Clippings/Compost Registrations – It is recommended that the current level of FTEs be maintained for managing the registration portion of the composting program. Additional FTEs are necessary to implement the program.

No SWFW comments.

15) Legislative Reports (Annual Solid Waste Report, Activities Report, etc.) – In general the data required to be reported is useful, however it is recommended that DEQ redesign the reports to be more useful for promoting waste utilization.

SWFW comments – A SWFW member identified the need to include recycling data and measurement in the legislative reports.

16) Financial Assurance Reviews – It is recommended that the financial assurance reviews, surcharge collection, and legislative report be assigned to an additional FTE that was eliminated due to resource priorities. The responsibilities are currently assigned to the statewide landfill engineer and geologist specialist positions.

No SWFW comments.

17) Solid Waste Alternative Program Grants (SWAP) – there is currently minimal program involvement in the remaining SWAP grant. Current FTE level is adequate.

SWFW comments – A SWFW member asked about the remaining SWAP obligations. The last SWAP grant just closed. All SWAP obligations have ended.

Technical Support for other Divisions – Current FTE level is adequate for assistance to the mining program, dredge projects, and soil relocation.

No SWFW comments.

18) Solid Waste Surcharge Collection – Current level of staff is adequate if an additional FTE is added for financial assurance reviews. Approximately 20% of an FTE is required for surcharge collection currently. If the surcharge is broadened it is anticipated additional staff resources will be necessary.

No SWFW comments.

19) Legislative Assistance – Current FTE level is adequate.

No SWFW comments.

20) Staff Training – Additional resources are required for additional staff training. It is recognized that the anticipated increase in waste utilization efforts will require expanded staff training in those program areas.

SWFW comments – Currently the Resource Management Division budget for training is \$200 per person per year.

21) Legislative Bill Analyses – Current FTE level is adequate.

No SWFW comments.

22) Environmental Monitoring/Sampling – It is recommended that select wells be evaluated every two years through split sampling. The program should be audited in other areas. Additional funds will be necessary if environmental monitoring expands to additional Solid Waste Program areas.

No SWFW comments.

Other Activities

23) Emerging Waste Management Technologies - Current FTE level is adequate.

No SWFW comments.

24) Solid Waste Utilization and Recycling Measurement – No additional FTEs will be necessary if DEQ acts in a support function for the measurement system that will be designed.

SWFW comments – A SWFW member identified that there may be a cost to the DEQ depending on what the measurement system ultimately looks like.

25) E-waste – An additional 2.5 FTEs are necessary to fully implement the E-waste Program as currently designed. If the program is amended to be more self-implementing then an additional 1 FTE is required.

SWFW comments – A SWFW member recommended that the report address changes to the ewaste fee to fund the additional staff necessary to fully implement the ewaste takeback program.

26) Scrap Tire Program – Current FTE level is adequate. Program is shifting resources to expand market development efforts.

No SWFW comments.

The SWFW was generally supportive of the program changes and the FTE levels recommended by the DEQ. There are two areas where more data is being gathered and follow-up will occur at the next meeting. The SWAC is appreciative of the background information provided thus far.

The workgroup was asked to review the rest of the Solid Waste Policy and identify which activities should be accomplished, and therefore should be funded.

A workgroup member suggested the report "More Jobs, Less Pollution: Growing the Recycling Economy in the U.S." be **placed on the SWFW Web site**
<http://www.bluegreenalliance.org/admin/publications/files/MoreJobsLessPollutionFinal-1.pdf>

The SWFW was notified that the Appropriations Committee has requested an update on the progress of this workgroup. Information will be presented to Representative Kowall, and other committee members on December 13, 2011.

Next Meeting is December 9, 2011, 9:00 a.m. to Noon, Con Con A & B Conference Room, Atrium South, Constitution Hall, Lansing, Michigan.